

DISTRICT COURT, DENVER COUNTY, COLORADO 1437 BANNOCK STREET DENVER, COLORADO 80202		DATE FILED: June 7, 2019 5:33 PM FILING ID: B1BFD929DCCDC CASE NUMBER: 2019CV31577
Plaintiff: DEFEND COLORADO, a Colorado nonprofit association v. Defendants: GOVERNOR JARED POLIS and THE COLORADO AIR QUALITY CONTROL COMMISSION.		↑ COURT USE ONLY ↑
Attorneys for Plaintiffs: Paul M. Seby, #27487 Matt Tieslau #47483 GREENBERG TRAUIG, LLP 1200 Seventeenth Street, Suite 2400 Denver, Colorado 80202 Phone Number: 303.572.6500 Fax Number: 303.572.6540 E-Mail: sebyp@gtlaw.com tieslaum@gtlaw.com		Case Number: 2019CV31577 Division: Courtroom: 203
AFFIDAVIT OF NEIL RAY		

The Affiant, Neil Ray, being duly sworn, hereby affirms that the statements contained herein are based upon personal knowledge and, if called as a witness, will testify to the same.

1. My name is Neil Ray.
2. I am of legal age and I am competent to testify as to the facts set forth herein based on my personal knowledge and my participation as member in Defend Colorado.
3. I am the President of the Colorado Alliance of Mineral and Royalty Owners, (herein "CAMRO"). CAMRO is a Colorado not for profit organization dedicated to representing the

interests of mineral and royalty owners in our State. CAMRO engages in education, advocacy, and assistance to mineral interest owners, to governmental bodies, and to the public. CAMRO is the leading organization for mineral and royalty owners in Colorado, with over one hundred fifty families as members, representing over one-third of the producing wells in Colorado.

4. CAMRO members comprise a unique segment of the population who own the real property interest in the mineral estate directly impacted by regulations governing the oil and natural gas sector. Members include individuals from all walks of life, from individual farmers and ranchers to family trusts and small operators. CAMRO was established based on the need for mineral owner representation dedicated to responsible development of Colorado's valuable oil and gas resources.

5. CAMRO members own minerals and royalty interests in oil and natural gas wells in the Denver Metro / North Front Range Nonattainment Area, which includes the Denver-Julesburg Basin, one of largest producing oil and natural gas fields in the country. The ability of CAMRO members to access and use their own property is directly impacted by ozone and other air quality regulations governing existing and new oil and natural gas wells. If these regulations force existing wells to cease operation or curtail the drilling of new wells, they will effectively deny our members their property rights and cause significant economic harm to our members.

6. CAMRO is a member of Defend Colorado.

7. CAMRO relies on Defend Colorado to participate in administrative and legal proceedings that further Defend Colorado's organizational purpose and protect CAMRO's interests.

8. CAMRO supports Defend Colorado's Petition for Expedited Public Hearing and Request for Declaratory Order ("Petition") to the Colorado Air Quality Control Commission ("Commission").

9. CAMRO therefore opposes the Commission's refusal to rule on Defend Colorado's Petition and supports Defend Colorado's current challenge to the Commission's refusal to rule on the Petition.

10. CAMRO also supports Defend Colorado's challenge to Governor Polis' recent March 26, 2019 letter withdrawing Colorado's prior June 4, 2018 extension request to EPA ("Withdrawal Letter")

11. CAMRO's membership is injured by the Commission's refusal to rule on Defend Colorado's Petition because the Commission has denied CAMRO, through Defend Colorado, its statutory right to participate in a public hearing on Colorado's annual certification of its air quality data and NAAQS attainment status to EPA.

12. CAMRO's membership is also injured by the Commission's refusal to rule on Defend Colorado's Petition by denying CAMRO its statutory right to participate in a public hearing held to develop an accurate accounting of Colorado's air emissions inventory, including whether international emissions and exceptional events are materially affecting Colorado's air quality data.

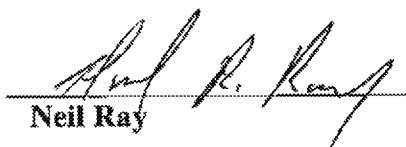
13. CAMRO's membership is injured by the Governors Withdrawal Letter because the letter violates the separation of powers required by the Colorado Constitution and otherwise deprives CAMRO of its right to participate in a public hearing that the Commission would be required to hold if properly issuing the Withdrawal Letter.

14. CAMRO's membership is injured by the Commission's refusal to rule on Defend Colorado's Petition and separately the Governors Withdrawal letter because those actions may result cause or contribute to a Serious nonattainment designation by EPA for the Denver Metro / North Front Range Area which will impose harmful regulatory oversight and permitting requirements that deprive CAMRO and its members of their property rights and associated income. These harms include:

- a. Reduced lease and royalty payments to CAMRO members as a result of curtailed production of oil and natural gas deposits owned by CAMRO members.
- b. Diminished long-term value of the minerals owned by CAMRO members due to restrictions that limit production, in whole or in part, of oil and natural gas deposits owned by CAMRO members.
- c. Reduced membership dues to support CAMRO's mission of representing the interests of mineral and royalty owners in Colorado.


15. I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge.

Executed on this 5 day of June, 2019.


Neil Ray

State of Colorado)
County of Jefferson) S.S.

Subscribed and sworn to (or affirmed to) before me in the county of Jefferson
State of Colorado, this 5 day of June, 2019.


Notary Public

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